

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 LITIGATION :  
: 21 MC 97 (AKH)  
: 21 MC 101 (AKH)  
: :  
: This Document Relates to:  
: All Actions  
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### **PRIVACY ACT ORDER**

WHEREAS, the parties to this litigation have requested that the Transportation Security Administration (the “Government”) identify the names of those individuals who have been cleared for access to Sensitive Security Information in connection with this litigation pursuant to section 5 of the Stipulated Protective Order Governing Access to, Handling of, and Disposition of Potential Sensitive Security Information, entered on March 21, 2007 (“Stipulated Protective Order”), and section 525(d) of the Department of Homeland Security Appropriations Act of 2007, Public Law No. 109-295, 120 Stat. 1355 (the “Requested Information”); and

WHEREAS, the Government is expected to object to the provision of the Requested Information on the ground that the Government may be prohibited from providing the Requested Information by the Privacy Act of 1974, 5 U.S.C. § 552a (the “Privacy Act”); and

WHEREAS, it appears that the disclosure of the Requested Information is in the interests of justice and is further necessary to the implementation of the procedures set forth in the Stipulated Protective Order; and

WHEREAS, the Requested Information is subject to the Confidentiality Order entered in 21 MC 97 (AKH) on March 20, 2004, as amended by the Privacy Act Order entered on January 12, 2007, it is hereby

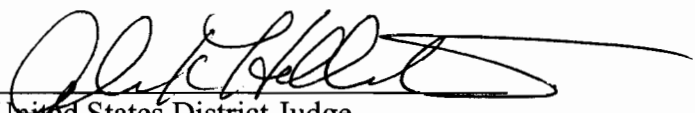
ORDERED, that:

To the extent that the Government objects to providing the parties with the Requested Information on the ground that such production is prohibited by the Privacy Act, the objection is overruled and the United States shall produce the Requested Information to the parties pursuant to 5 U.S.C. § 552a(b)(11).

Dated: New York, New York

~~May 1, 2007~~

*June 5, 2007*

  
United States District Judge

The entry of this Order is consented to by the parties to this action.